

PATENT COOPERATION TREATY

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REC'D 11 JUL 2006


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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PU030221		FOR FURTHER ACTION		See Form PCT/IPEA416
International application No. PCT/US2004/007653		International filing date (day/month/year) 12.03.2004		Priority date (day/month/year) 12.03.2004
International Patent Classification (IPC) or national classification and IPC INV. H04L29/06				
Applicant THOMSON LICENSING S.A. et al.				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau a total of 5 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 22.06.2005		Date of completion of this report 10.07.2006		
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized officer Kappatou, E Telephone No. +49 89 2399-7521		



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/US2004/007653

Box No. I Basis of the report

1. With regard to the **language**, this report is based on

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3(a) and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4(a))
 - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

Description, Pages

1-15 as originally filed

Claims, Numbers

1-3, 5-25, 28, 29 received on 24.06.2005 with letter of 22.06.2005

Drawings, Sheets

1/8-8/8 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☒ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☒ the claims, Nos. 4,26,27
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/US2004/007653

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-3,5-25,28,29
	No: Claims	
Inventive step (IS)	Yes: Claims	1-3,5-25,28,29
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-3,5-25,28,29
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

The document D1: WO 03/052610 A is regarded as being the closest prior art to the subject-matter of the independent claims 1, 22, 25 and 28, and refers to remote side downloading of a content file from a content server to a computer-based storage location, selected by a computing device.

The subject-matter of the independent claims differs from the disclosure of D1 in that a session is established between the computing device and the content server, a cookie of this session with the URL of the content server are sent to either the remote computer (claims 1 and 22) or the storage location (claims 25 and 28), where they are used to authenticate the session and for the downloading.

The subject-matter of these claims is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as providing in an efficient way web content, which was requested by a requester from a content server for a consumer, that is located remotely from the requester.

The solution to this problem proposed in the above independent claims of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

Document D2: WO 01/31445 A discloses packing a URL in a cookie in order to keep information available. However the document deals with mirror servers, the cookie is kept in the computer for further use and not send to another computer for information transfer.

None of the cited documents refer to session transfer or to session authentication.

Claims 2-3, 5-21, 23-24, 29 are dependent on claims 1, 22 and 28 respectively and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Re Item VIII

Certain observations on the international application

The application does not meet the requirements of Article 6 PCT, because the claims are not clear:

- a. Claims 1 and 22 do not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not clearly defined. The term "so as to download" attempts to define the subject-matter in terms of the result to be achieved, which merely amounts to a statement of the underlying problem, without providing the technical features necessary for achieving this result.
- b. Some of the features in the system claim 25 relate to a method of using the system rather than clearly defining the system in terms of its technical features. The intended limitations are therefore not clear from this claim. The claimed system comprises "programming" that is defined by the functions of external entities, like the computer-based storage location. It is not clearly stated which feature is comprised in the claimed system.
- c. The term "In a computing device ... a method..." in claim 1, and the term "In a network environment... a system" in claim 22 leaves doubt to the category of the claim, Article 6 PCT.
- d. The vague and imprecise statement in the description on page 15, last paragraph implies that the subject-matter for which protection is sought may be different to that defined by the claims, thereby resulting in lack of clarity (Article 6 PCT) when used to interpret them.

CLAIMS

1. In a computing device, a method for remote side downloading (RSD) comprising:
 - establishing a session with a content server having a URL;
 - selecting a content file to be downloaded from the content server;
 - selecting a computer-based storage location that is identified using a mapping file and to which the content file is to be downloaded from the content server;
 - receiving at least one cookie of the session from the content server;
 - packing information comprising the at least one cookie of the session and the URL;
 - sending the packed information to a remote site computer;
 - wherein the URL and the at least one cookie comprised in the packed information are for respectively accessing the content server and for authenticating the session between the computing device and the content server by the remote site computer so as to download the selected content file to the selected computer-based storage location, and wherein at least the computing device is located remote from the remote site computer at least during establishment of the session.
2. The method of claim 1 wherein the computing device has a RSD program adapted to pack the information and send the information to a remote site computer.
3. The method of claim 2 wherein the RSD program is a plug-in in a web browser.
4. (cancelled)
5. The method of claim 1 wherein the session is a web session.
6. The method of claim 1 wherein the cookie is a web browser cookie.

7. The method of claim 1 wherein the content file is represented by the URL and the URL which comprises the packed information identifies the selected content file for the remote site computer.

8. The method of claim 1 wherein the computing device establishes the session via a first access network and the remote site computer downloads the content file via a second access network.

9. The method of claim 1 wherein the computer-based storage location is at a fixed location.

10. The method of claim 1 wherein the computer-based storage location is at a dynamic location.

11. The method of claim 1 wherein the computer-based storage location is at a hotspot.

12. The method of claim 1 wherein the remote site computer downloads the file from the content server using the URL and the session cookies and stores the content file in a cache server until the computer associated with the computer-based storage location is available to receive the content file from the cache server.

13. The method of claim 1 wherein the remote site computer has an RSD server program to download the file from the content server using the URL and the session cookies or assigns a caches server to download the file from the content server and store the file until the computer associated with the computer-based storage location is available to receive the content file from the cache server.

14. The method of claim 1 wherein the computer-based storage location is a mobile computer and the remote site computer is a cache server at a hotspot, and the cache server has an RSD server program that receives the packed information

downloads the selected content file from the content server using the URL and the session cookies, stores the content file until the mobile computer signs in at the hotspot and then downloads the content file from the cache server to the mobile computer.

15. The method of claim 1 wherein the session between the computing device and the content server is a secured session and the content file is purchased using a credit card, wherein the content server uses session control cookies to assure that the downloading request is authentic.

16. The method of claim 1 wherein the computer-based storage location is a location dependent storage comprising a map containing data comprising one or more of a name of an associated network, a user ID of the associated access network, a password of the associated access network, a geographical location of a static location or a dynamic hotspot location, and an RSD assignment command comprising executables and parameters to be made when the computer-based storage location is accessed.

17. The method of claim 15-wherein the map provides the address, user ID, password, geographical location, and the RSD assignment command.

18. The method of claim 1 wherein the computing device uses a web browser with an RSD plug-in to establish the session with the content server.

19. The method of claim 1 wherein the content file is a multimedia file.

20. The method of claim 1 wherein the content file is a movie file.

21. The method of claim 1 wherein the packed information is sent to the remote site computer as an instant message, an e-mail with an attachment comprising the packed information, or an HTTP request.

22. In a network environment having an access server and a content server, the content server having a URL, a system for remote site downloading (RSD), the system comprising:

a computing device for establishing a session with the content server, selecting a content file to be downloaded from the content server, selecting a computer-based storage location that is identified using a mapping file and to which the content file is to be downloaded from the content server, receiving at least one cookie of the session from the content server, packing information comprising the at least one session cookie and the URL, and sending the packed information to a remote site computer for accessing the content server by the remote site computer using the URL and for authentication of the session between the computing device and the content server by the remote site computer using the cookie so as to download the selected content file to the computer-based storage location, and wherein at least the computing device is located remote from at least the remote site computer during establishment of the session.

23. The system of claim 21 wherein the computing device has a web browser with an RSD plug-in.

24. The system of claim 21 wherein the computing device is a mobile device and the remote site computer has a broadband connection, wherein the broadband connection is wireless or wired.

25. A system for facilitating remote site downloading (RSD) of a content file selected using a first computer from a content web server for downloading to a computer-based storage location, comprising:

programming in the first computer comprising a browser RSD plug-in which enables identification, using a mapping file, of the computer-based storage location for receiving and storing the selected content file, packs information comprising a cookie, and sends the packed information comprising the cookie to the computer-based storage location, the packed information comprising the cookie functioning to authenticate a prior session between the first computer and the content web server

during which the content file was selected and to cause the computer-based storage location to automatically request the content web server to download the content file to the computer-based storage location, wherein at least the computer-based storage location is located remote from the first computer at least during establishment of the prior session.

26. (cancelled)

27. (cancelled)

28. A plug-in program for a web browser to be employed on a computer, the plug-in program enabling transfer of a content requesting session between the computer and a content web server to a computer-based storage location that is identifiable using a mapping file by packing information comprising one or more cookies received on the computer from the content web server for the content requesting session and a URL for the requested file on the content web server, and sending the packed information to the computer-based storage location by instant messenger, an e-mail with the information attached, or an HTTP request, the one or more cookies and the URL for respectively authenticating the session between the computer and the content web server and for accessing the content web server, wherein at least the computer is located remote from the computer-based storage location at least during establishment of the content requesting session.

29. A web browser having the plug-in program of claim 27.